

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2000

Application or Docket Number

039 24156

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	19	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	19 minus 20=	0
INDEPENDENT CLAIMS	4 minus 3=	1
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	19	19	=
Independent	4	4	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

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	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	23	20	= 3
Independent	2	4	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

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	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total			=
Independent			=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

SMALL ENTITY TYPE ☐ OR OTHER THAN SMALL ENTITY

RATE	FEE	RATE	FEE
BASIC FEE	355.00	BASIC FEE	710.00
X\$ 9=		X\$18=	0
X40=		X80=	80
+135=		+270=	6
TOTAL		TOTAL	290

SMALL ENTITY OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		X\$18=	
X40=		X80=	
+135=		+270=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		X\$18=	
X40=		X80=	
+135=		+270=	
TOTAL ADDIT. FEE	75.00	TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
X\$ 9=		X\$18=	
X40=		X80=	
+135=		+270=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rafael A. Sierra *et al.* Art Unit : 3739
Serial No. : 09,924,156 Examiner : Ahmed M. Farah
Filed : August 7, 2001
Title : METHOD OF TREATING ACNE

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT IN REPLY TO ACTION OF JULY 1, 2004

Please amend the above-identified application as follows.

Amendments to the claims begin on page 2.

Remarks begin on page 6.

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

January 3, 2005

Date of Deposit

Rafael A. Sierra

Signature

Rafael A. Sierra

Typed or Printed Name of Person Signing Certificate

2002 8/25

Albacarys to suggest that a glycolic acid solution should be used to prepare a target region of the skin for application of a chromophore and subsequent irradiation. Moreover, glycolic acid is only one of hundreds of possible agents that can be included in Albacarys' "article". Applicants fail to see any reason why one of ordinary skill in the art, even if they were motivated to modify Anderson's method, would do so by selecting glycolic acid from the long list of agents Albacarys suggests. The mere fact that the references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. MPEP at 2143. In view of the present amendment and the foregoing remarks, the Examiner is respectfully asked to reconsider and withdraw the rejection

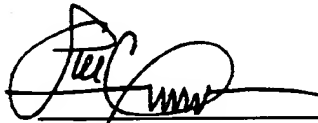
CONCLUSION

Applicants respectfully submit the present claims are in condition for allowance, which action is respectfully requested.

Filed herewith are a Notice of Appeal and a Petition for Extension of Time. Checks for the required fees are also enclosed. If there are any other charges, or any credits, please apply them to Deposit Account No. 06-1050, referencing Attorney Docket No. 00398-175001.

Respectfully submitted,

Date: January 3, 2005



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